

decided not to prosecute Mr. Babbitt or anyone else in connection with the Hudson casino application and decision.

On March 3, 2000, this Court issued an Order under seal stating that Ms. Bruce had delivered her Final Report, and authorizing Stanley R. Crooks, Glynn A. Crooks, Susan Totenhagen, Paul Kempf, Kurt V. BlueDog and William J. Hardacker or their attorneys to review the Final Report and submit comments or factual information for possible inclusion in the appendix to the Report by June 5, 2000.

Counsel for SMSC and for the above-named individuals have reviewed pages of the Report determined by the Independent Counsel's office to relate to our clients. On behalf of SMSC and these individuals, we oppose the unsealing of the Final Report or any dissemination of it to anyone. The final results of the investigation show its ill-conceived nature and purely political motivation. To allow the Report to become public is likely to lead to the publication of inflammatory out-of-context statements with no consideration of the ultimate determination. As the report indicates:

A full review of the evidence, however, indicates that neither Babbitt nor any government official at Interior or the White House entered into any sort of specific and corrupt agreement to influence the outcome of the Hudson casino application in return for campaign contributions to the DNC. The evidence is therefore insufficient to prove that the process and decision in this case were criminally corrupted by the promise of campaign contributions, or any illicit consideration.

Final Report at 441.

With regard specifically to the SMSC no evidence of any wrongdoing was uncovered, and in fact SMSC did nothing wrong. To the extent that political